

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JIMMY HAWS, SETH DANIEL HAWS,
and MIA SKYE HAWS, minors, by and
through their guardian ad litem, CARRIE A.
HAWS, and CARRIE A. HAWS,
individually,

Plaintiffs,

v.

COUNTY OF MONTEREY, MICHAEL
KANALAKIS, NATIVIDAD MEDICAL
CENTER and DOES 1-300, inclusive,

Defendants.

Case No. C 07-02599 JF

[Proposed] ORDER ON DEFENDANTS
COUNTY OF MONTEREY AND
MICHAEL KANALAKIS' MOTION TO
DISMISS PLAINTIFFS' COMPLAINT
[F.R.C.P. 12(b)(1) and (6)]

Date: July 20, 2007
Time: 9:00 a.m.
Ctrm: 3, 5th Floor
Judge: Hon. Jeremy Fogel
Action Filed: May 16, 2007

The Defendants County of Monterey and Michael Kanalakis' Motion to Dismiss Plaintiffs' Complaint having come on regularly for hearing on July 20, 2007, at 9:00 a.m., before the Honorable Jeremy Fogel in Courtroom #3, 5th Floor, located at 280 South First Street, San Jose, California. Deputy County Counsel Traci A. Kirkbride appeared on behalf of Defendants County of Monterey and Michael Kanalakis. Plaintiffs appeared through their attorney of record. Other appearances were as noted on the record.

After considering the papers filed in support of and in opposition to Defendants' Motion to Dismiss, and the arguments presented by the parties,

1 THE COURT ORDERED:

2 Defendants' Motion to Dismiss Plaintiffs' Complaint pursuant to F.R.C.P. 12(b)(1) and (6) is
3 hereby granted with/without leave to amend;

4 IT IS SO ORDERED.

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6 DATED: July ____, 2007.

7 JEREMY FOGEL
United States District Judge

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